

HOUSE BILL 3212

By Gilmore

AN ACT to amend Tennessee Code Annotated, Title 40,
relative to the Post-Conviction DNA Analysis Act
of 2001 and the use of DNA to exonerate persons
convicted of certain offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-30-303, is amended by deleting
the section in its entirety and substituting instead the following:

Notwithstanding the provisions of part 1 of this chapter, or any other provision of
law governing post-conviction relief to the contrary, a person convicted of and sentenced
for the commission of first degree murder, second degree murder, aggravated rape,
rape, aggravated sexual battery, aggravated rape of a child, rape of a child, sexual
battery by an authority figure, statutory rape by an authority figure or the attempted
commission of any of these offenses, any lesser included offense of these offenses, or,
at the direction of the trial judge, any other offense, may at any time, file a petition
requesting the forensic DNA analysis of any evidence that is in the possession or control
of the prosecution, law enforcement, laboratory, or court, and that is related to the
investigation or prosecution that resulted in the judgment of conviction and that may
contain biological evidence.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring
it.